

## Section 6.01 Design and Construction Standards.

Water and sewer facilities within the District shall be designed and constructed in accordance with the applicable provisions of the District's ordinances, rules, and regulations, and with the DISTRICT STANDARD SPECIFICATIONS heretofore or hereafter adopted by the District, copies of which are on file in the District office. The Board or the District Engineer may permit modifications or may require higher standards where unusual conditions are encountered.

One complete set of "as-built" drawings showing the actual location of all mains, valves, fire hydrants, house services, meters, if any, collecting lines, sewer laterals, building sewers, manholes, cleanouts, public sewers and appurtenances, as applicable, shall be filed with the District before final acceptance of the work.

## Section 6.02 Exposure of Water and Sewer Service Pipelines.

During the period June 1 to September 15, water and sewer service pipelines leading from the building to the property line may be exposed in accordance with normal construction procedures. From September 15 to June 1, no such pipeline may be left exposed overnight. Any applicant or customer violating the provisions of this Section shall be liable for any damages or expenses suffered by District by virtue of failure to cap any open pipe and backfill the excavation. District may close any opening found in violation of this Section and charge the applicant or customer for the expense thereof.

## Section 6.03 Ingress and Egress.

Representatives from the District shall have the right of ingress and egress to the customer premises at reasonable hours for any purpose reasonably connected with the furnishing of water and/or sewer service, including inspecting and closing such laterals as necessary to protect the public health and District operations and facilities.

## Section 6.04 Tampering Prohibited.

No person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the District's water or sewer systems. Any person violating this provision shall be subject to the penalties provided by law and shall be liable for any damages or expenses suffered by the District as a result of such violation.

## Section 6.05 Erosion Control.

Each applicant for water and/or sewer service shall comply with those erosion control measures approved by the Board and attached to the Instructions to Applicants. A connection to the District's water and/or sewer system shall not be approved and service shall not commence unless the applicant complies with such erosion control measures. In the event that the District incurs costs to enforce such measures or incurs costs to carry out such measures itself with respect to any applicant's activities, the applicant shall be responsible for such costs. The District shall provide the applicant with a bill for the costs, which bill shall be paid within 30 days of its date. Service shall not commence until such bill is paid in full. Interest shall accrue on any late payment at the legal rate. In the event that the District is required to bring action to collect any sum in default, the applicant shall pay any and all attorney's fees and other costs incurred by the District to bring such action and enforce compliance with this provision. The District shall not be limited to any one remedy in the event of default, but may avail itself of any remedy or legal procedure available to it in such event.

## Section 6.06 Installation of Underground Storage Tanks.

Because of the clear and present danger to the contamination of the District's water supply, no person or entity shall install an underground storage tank containing a hazardous substance, as that term is defined in Health and Safety Code Section 25281, within the District. All above-ground storage tanks containing a hazardous substance shall comply with federal, state and local laws, ordinances, rules and regulations governing the installation, construction, repair and maintenance of such above-ground storage tanks.

Section 6.07 Street Excavation Approval.

Approval must be secured from the State, County or any other person having jurisdiction thereover by owners or contractors intending to excavate in a public street for the purpose of installing water and/or sewer facilities or making water and/or sewer connections pursuant to the District Code.

Section 6.08 Liability.

The District and its directors, officers, agents and employees shall not be answerable for any liability or injury or death to any person or damage to any property arising during or growing out of the performance of any work by any applicant under the District Code. The applicant shall be answerable for, and shall protect, defend, indemnify and save the District and its directors, officers, agents and employees harmless from any and all liability, costs, expenses, damages, claims, demands, causes of action, judgments, and attorney's fees, arising out of or in any way connected with the applicant's work, except for the sole or active negligence, or willful misconduct of the District. Applicant shall be solely liable for any defects in the performance of his work or any failure which may develop therein.

Section 6.09 Annexation Fee for Annexed Lands.

In addition to all other fees and charges of the District, there shall be imposed and collected from the owner of land annexed to the District prior to final approval of the proposed annexation, an annexation fee in the amount that the owner of the land to be annexed would have paid to the District by way of property taxes, assessments, bond taxes and standby charges or assessments respecting the property to be annexed from the date that the District was formed through the date of the annexation, together with interest at the legal rate on any such payments from their due date to the date of the annexation.